

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**RICHARD L. NELSON**

**Petitioner,**

**vs.**

**WARDEN DANIEL MONTI,**

**Respondent.**

**Case No. 24-CV-2644-DWD**

**MEMORANDUM AND ORDER**

**DUGAN, District Judge:**

Petitioner Richard L. Nelson, an inmate of the Illinois Department of Corrections currently incarcerated at Centralia Correctional Center, brings this habeas corpus action pursuant to 28 U.S.C. § 2254 to challenge the constitutionality of his convictions for home invasion, robbery, and aggravated assault in Jackson County, Illinois. *People v. Nelson*, Case No. 14-CF-94 (First Judicial District). Petitioner asserts that he is entitled to relief because he was denied due process and the effective assistance of counsel (Grounds 1-5).

The case is now before the Court for a preliminary review of the Petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in United States District Courts. Without commenting on the merits of Jackson's claim, the Court concludes that the Petition survives preliminary review under Rule 4 and Rule 1(b). Given the limited record, it is not plainly apparent that Petitioner is not entitled to habeas relief.

**IT IS HEREBY ORDERED** that Respondent Lawrence shall answer or otherwise plead **on or before March 3, 2025**. This preliminary order to respond does not, of course, preclude the Government from raising any objection or defense it may wish to present. Service upon the Illinois

Attorney General, Criminal Appeals Bureau, 100 West Randolph, 12th Floor, Chicago, Illinois 60601, shall constitute sufficient service.

Petitioner is **ADVISED** of his continuing obligation to keep the Clerk of Court (and each opposing party) informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than **seven days** after a transfer or other change in address occurs. Failure to provide such notice may result in dismissal of this action. *See* Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED.**

**DATED:** January 17, 2025

/s/ David W. Dugan  
David W. Dugan  
United States District Judge